

THIS REPORT CONTAINS ASSESSMENTS OF COMMODITY AND TRADE ISSUES MADE BY USDA STAFF AND NOT NECESSARILY STATEMENTS OF OFFICIAL U.S. GOVERNMENT POLICY

Voluntary    Public

**Date:** 9/19/2013

**GAIN Report Number:** RS1361

## Russian Federation

**Post:** Moscow

### **Draft Amendments to CU Technical Regulation on Safety of Packaging**

**Report Categories:**

Sanitary/Phytosanitary/Food Safety

FAIRS Subject Report

Policy and Program Announcements

WTO Notifications

**Approved By:**

Christopher Riker

**Prepared By:**

Staff

**Report Highlights:**

On September 11, 2013, Russia notified the World Trade Organization (WTO) of draft amendments to the Russia-Kazakhstan-Belarus Customs Union's Technical Regulation "On Safety of Packaging" via WTO notification G/TBT/N/RUS/24. The 60-day comment period ends on November 8, 2013. Interested U.S. parties are encouraged to share their comments and concerns with the National Institute of Standards and Technology at [ncsci@nist.gov](mailto:ncsci@nist.gov).

**General Information:**

On September 2, 2013, the Eurasian Economic Commission (EEC), which is the regulatory body of the Russia-Kazakhstan-Belarus Customs Union (CU), published the following draft document on its website:

- [Draft Amendments to the Technical Regulation of the Customs Union "On Safety of Packaging" \(TR TS 005/2011\)](#)

On September 11, 2013, Russia notified the World Trade Organization (WTO) of the above-referenced draft amendments via WTO notification [G/TBT/N/RUS/24](#). The 60-day comment period for this WTO notification ends on November 8, 2013. Interested U.S. parties are encouraged to share their comments and concerns with the National Institute of Standards and Technology (NIST) at [ncsci@nist.gov](mailto:ncsci@nist.gov). NIST, in turn, will share collected comments/concerns with the Eurasian Economic Commission.

An unofficial English translation of the above-referenced draft amendments can be found below.

For translation of the original CU Technical Regulation “On Safety of Packaging” please see [RS1253 Customs Union Technical Regulation on Safety of Packaging](#).

BEGIN UNOFFICIAL TRANSLATION:

**Amendments to the Technical Regulation of the Customs Union  
"On Safety of Packaging" (TR TS 005/2011), approved by Decision of the  
Customs Union Commission No. 769 of August 16, 2011**

The Technical Regulation of the Customs Union "On Safety of Packaging" (TR TS 005/2011), approved by Decision of the Customs Union Commission No. 769 of August 16, 2011, shall be amended as follows:

1. Paragraph 1 of Article 1 shall read as follows: "The present Technical Regulation shall cover all types of packaging, including closures, in accordance with Annex 5, constituting finished products, as well as packaging materials, released into circulation on the customs territory of the Customs Union, irrespective of the country of origin."

2. Article 1 shall be supplemented with paragraph 2a "Only requirements of Article 2, Clause 1 of Article 6 shall be applicable to all packaging (closures), supplied with packaged products, as well as packaging materials, released into circulation on the customs territory of the Customs Union."

3. Paragraph 1 of Article 6 after the words "and dangerous goods" shall be supplemented with the following words: "containers for transport of goods by road, rail, sea, and air transport."

4. Article 2 shall be supplemented with the following terms and their definitions:

energy recovery - the use of combustible packaging waste as a means of energy production by direct combustion with or without other wastes, but with heat recovery;

secondary (group) packaging - packaging containing one or more product or packaging units;

combined packaging - packaging consisting of a variety of materials;

handling of packaging - the processes associated with documented (including passported) organizational and technological measures on work with the packaging, including design, production, transportation, storage, consumption, and sales;

handling of packaging waste - the activity associated with the formation of packaging waste, its collection, separation by type, removal, storage, burial, transportation, disinfection and (or) use;

packaging waste - any packaging or packaging material, except for residues from production, which are not suitable for further use;

prevention of pollution of environment with packaging waste - activities in the process of design, production, transportation, storage, use, and sales of packaging, as well as the collection, sorting, transportation, placement, storage, handling, reclamation (recycling), disposal and cross-border movements of packaging waste aimed at reducing the content of hazardous substances in packaging and packaging waste, the volume of produced packaging per unit of packaged goods, as well as the volume of waste and unusable packaging waste;

prevention – reduction of the amount and scope of damage to the environment from the materials and substances contained in packaging and packaging waste, as well as packaging and packaging waste at the stage of production and the stages of sales, delivery, reclamation, and disposal;

processing - the re-processing of waste in the production process for use or re-circulation of waste, including organic processing but excluding energy recovery;

recycling – re-processing of materials as part of technological process for use at originally intended or for other purposes, except for the burning;

supporting documentation - commodity and supporting documents on the quality, quantity and complex, containing the necessary and sufficient information to identify the consignments of products all the way to their distribution;

commodity or consumer packaging - packaging designed for the end user or sold to the end user at the point of sale as a single item;

primary packaging - packaging designed for direct contact with the product;

tertiary (transport) packaging - packaging designed to provide cargo handling and transportation of a certain number of units of a product or group of packages in order to prevent physical damage during handling and carriage;

management of packaging waste - collection, transportation, reclamation and disposal of waste, including the supervision over such operations and maintenance of waste burial sites;

reclamation - an activity aimed at the production of secondary commodities or energy recovery, taking into account material and energy efficiency, environmental and safety requirements.

5. In Article 2 “Definitions”: the definition of “packaging material” shall be replaced with “material, designated directly for packaging of finished products.”

6. Paragraph 1 of Article 3 shall read as follows: “Packaging (closures), constituting finished products, as well as packaging materials, shall be released into circulation on the customs territory of the Customs Union provided they have undergone all of the required procedures of assessment (confirmation) of compliance, established by the present Technical Regulation as well as by other technical regulations of the Customs Union applicable to packaging (closures), including packaging materials.”

7. Article 3 shall be supplemented with the following paragraph 3 “Packaging (closures), supplied with packaged products, as well as packaging materials, shall be released into circulation on the customs territory of the Customs Union provided there is a document on compliance of the packaging (closures) with the requirements of paragraph 1 of Article 6 of the present Technical Regulation;

8. Paragraph 1 of Article 4 shall read as follows: “Compliance of packaging (closures), constituting finished products, as well as packaging materials, with the present Technical Regulation shall be ensured either directly by meeting the requirements thereof or by fulfillment of the standards’ requirements, the application of which on a voluntary basis ensures meeting the requirements of the present Technical Regulation, and standards containing rules and methods of examination (testing) and measurement, including the rules for selection of samples required for application and meeting of the requirements of the present Technical Regulation and assessment (confirmation) of compliance of products (hereinafter referred to as the standards).

9. Paragraph 3 of Article 5 shall be supplemented with sub-paragraph add “geometric dimensions”;

10. Paragraph 5 of Article 5 shall read as follows: “Packaging, designated for packaging of perfumes and cosmetics having direct contact with packaged products, toys, and products for children having direct contact with a child’s mouth, shall not emit substances into the simulation and air media that come into contact therewith in the amount which is harmful for health and exceeds the maximum permissible levels of migration of chemical substances;

11. Paragraph 6 of Article 5 shall read as follows: “Packaging shall satisfy the safety requirements specified in Clauses 6.1 – 6.8 of the present Article in respect of the mechanical indicators, chemical resistance, and hermeticity (if they are preconditioned by the structure and intended use of packaging)”;

12. The second and third paragraphs of sub-item 6.4., item 6, Article 5 shall be amended as follows:

- shall withstand a set quantity of hits in free fall or resistance to horizontal impact;
- shall withstand the compression force in the vertical axis direction of the body or stacking rigidity”;

13. The third paragraph of sub-item 6.5, item 6 of the Article, “shall be moisture resistant,” shall be deleted;

14. The second paragraph of sub-item 6.8, item 6 of Article 5 shall read as follows: “shall be impervious to water”;

15. Paragraph 7 of Article 5 shall be supplemented with the following paragraph “geometric dimensions”;

16. The third paragraph of item 8, Article 5 shall read as follows: “Closures, contacting with perfumes and cosmetics, shall not emit substances into the simulation media contacting therewith in the amounts that are harmful for human health, exceeding the maximum permissible levels of chemical substances migration”;

17. In the sixth paragraph of sub-item 9.1, item 9, Article 5 the word “hydrostatic” shall be replaced with “excessive”;

18. The seventh paragraph of sub-item 9.1, item 9, Article 5 shall read as follows: “crown caps shall be corrosion-resistant”;

19. Sub-item 9.2 of item 9, Article 5, shall read as follows: “Polymeric closures”;

20. In the fourth paragraph of sub-item 9.2., item 9, Article 5, the word “hydrostatic” shall be replaced with “excessive.”

21. The seventh paragraph of sub-item 9.2., item 9, Article 5, shall read as follows: “the quantity of polymer fluff shall not exceed the allowed amount for closures, contacting with alcoholic products”;

22. The sixth paragraph of sub-item 9.2., item 9, Article 5, shall be deleted (for polymeric closures).

23. Paragraph 5 of sub-item 9.3, item 9 of Article 5, shall read as follows: “assembled corks shall withstand water boiling without disintegrating or cracking”;

24. Item 9 of Article 5 shall be supplemented with sub-item 9.5 combined closures:

- glue joint of crimping and rolling caps shall be strong;
- sealing gaskets shall not laminate”;

25. Paragraph 1 of Article 6 shall read as follows: “Marking shall contain information required for identification of material from which the packaging (closures) is made, including packaging material, to facilitate the collection and re-use of packaging, including packaging material, which will help identify and classify packaging materials by the relevant industries. The marking shall be clearly visible and legible, strong, non-erasable, and durable. The marking shall be applied directly on the packaging (packaging material), and (or) the packaging label. Marking shall be applied directly on closures in case of technological and design features or in the supporting documents.”;

26. In paragraph 2 of Article 6 the words “digital designation” shall be replaced with “digital code”;

27. Sub-item 11.4. of item 11, Article 5, shall read as follows: “in case it is impossible to recycle the packaging (closures), including packaging material, packaging, including packaging material shall be marked with a “no disposal” sign, picture 5, Annex 4;”

28. The Technical Regulation shall be supplemented with Article 5a “Essential requirements for the composition and reusable, recyclable, and processed packaging (closures), including packaging materials.”

1. Requirements for the production and composition:

1.1. Packaging (closures), including packaging material, shall be produced in such a way as to limit its volume and weight to a minimum consistent with the required level of safety.

1.2. Packaging (closures), including packaging material, shall be designed, produced, and sold with the possibility of its reuse or reclamation, including processing, as well as with a view to minimizing the impact on the environment when disposing of wastes or residues as a result of work on the management of packaging waste.

1.3. Packaging (closures), including packaging material, shall be made with a view to minimizing the presence therein of harmful and hazardous substances in the emissions, in the ash or during leaching when packaging (closures), including packaging material or wastes resulting from waste management, are burned or subject to burial.

2. Requirements for packaging, including packaging material, for reuse:

2.1. Packaging, including packaging material, shall simultaneously meet the following requirements:

- the physical properties and characteristics of packaging, including packaging material, ensure a certain number of carriages or handling during its life cycle in normal predictable operating conditions;
- used packaging, including packaging material, shall be processable;
- used packaging, including packaging material, shall meet the requirements for reclamation.

3. Requirements for the to-be-restored characteristics of packaging material:

3.1. Packaging, including packaging material, shall be produced with the possibility of processing of a certain amount of materials in terms of percentage by weight, used to produce marketable products.

3.2. Packaging waste processed for energy recovery, should have minimum calorific value to ensure optimization of energy recovery.

3.3. Packaging waste processed for composting shall have the biodegradable properties, which does not preclude separate collection of waste and the composting process.

3.4 Biodegradable packaging waste shall ensure the physical, chemical, thermal, and biological decomposition to such a degree so that most of the end compost would ultimately decompose into hydrocarbon, biomass, and water.

•29. Sub-item 2.1 of item 2, Article 7, shall be amended as “3D, 4D, 5D, 6D schemes – ” with no further amendments to the text;

30. Article 7 shall be supplemented with item 12 as follows: “At the request of the manufacturer (the person authorized by the manufacturer), the importer declaration of conformity according to schemes 1D and 2D can be replaced by a declaration of conformity according to schemes 3D, 4D, 5D, and 6D.”;

31. Article 7 shall be supplemented with item 13 as follows: “Used packaging (closures), packaging materials are not subject to confirmation of compliance with the present Technical Regulation”;

32. In note \*\*\*\*\* to Annex 1 the words “and closures” shall be deleted;

33. Annex 2 shall be supplemented with Annex 2a “Requirements for organoleptic quality of materials and articles in contact with food products and simulation media”

Appendix 2a

Requirements for organoleptic quality of materials and articles in contact with food products and simulation media

Organoleptic parameters of the sample

Indicator	Standard
Smell of the sample (points)	not more than 1

Organoleptic parameters of aqueous extracts for testing materials and products with a moisture content greater than 15%, intended for contact with food products and media

Indicator	Standard
Smell (points)	Not more than 1
Off-flavor	Not allowed
Turbidity	Not allowed
Residual matter	• Not allowed

\* Staining of the water extract is admissible in the modeling of cortical closures and wood products.

Organoleptic parameters for air extraction from materials and products, with a humidity of 15 %, intended for contact with food products and media

Indicator	Requirements of technical regulations
The smell of sorbent * (points)	not allowed
* Taste of sorbent	not allowed
* Color of sorbent	not allowed

\* food products (bread, biscuits, flour, oil, etc.) are used as sorbents based on the operating conditions of the material or product.”

34. The title of Annex 3 shall read as follows: “Digital Code or Letter Designation (Abbreviation) of Material from which Packaging (Closures, Packaging Material) is Produced”;

35. Throughout column 1 of Annex 3 “Packaging Materials” the words “Vacant numbers” shall be replaced with “Other.”

36. Annex 3 shall be supplement with \*\*\* “Identification signs shall be marked as follows: inside the Möbius loop – the digital code, under the Möbius Loop – the letter designation.”

37. Annex 3 shall be supplemented with Annex 3a as regards marking of products from polymeric materials

### **1. Marking of articles**

1.1 Articles of polymeric materials consisting of a single component shall be marked on the surface in the spot, which allows its identification without prior disassembly, with acceptable standard symbol(s) or restricted term(s), between punctuation marks > and < , which mean “greater than” and “less than.”

1.2 Articles made from a single polymer or copolymer should be marked as described in item 1.1.

***Example: for products of polypropylene the designation >PP< shall be used.***

1.3. Articles, which comprise two or more components, some of which are difficult to see, or separate, should be marked so that the first visible material could be identified first according to the procedure described in item 1.1, and then - the other(s) material(s) with the help of a separate symbol(s), divided by comma. Designation of the main component by weight should be underlined.

***Example: for articles made from three components, where the visible one is a thin coating of polyvinyl chloride on polyurethane, containing an insert of acrylonitrile butadiene styrene, which is the main component by weight, the following designation shall be used: >PVC, PUR, ABS< .***

1.4 Articles of the mixture or polymer alloy shall be marked with appropriate abbreviated terms that are used to for the constituent polymers, with the main component the coming first, separated by one or more + signs and inserted between punctuation marks, as specified in item 1.1.

***Example: for alloy of polycarbonate and acrylonitrile butadiene styrene, wherein the polycarbonate is the major component with acrylonitrile butadiene styrene dispersed therein, the following designation shall be used: >PC + ABS< .***

1.5 Marking of articles should be applied:

- during the molding process using the corresponding symbol included in the mold design , or
- by stamping, printing on the melt, or other clear and indelible marking.

1.6 Abbreviated terms shall be used to specify the type of the main polymer in materials and articles. Only capital letters shall be used for designations of abbreviated terms. The most commonly used additional abbreviated terms for polymeric materials are included in Table 1.

**Table 1**

**Abbreviated Terms for Polymeric Materials**

<b>Abbreviated</b>	<b>Term, corresponding to the material</b>
<b>1</b>	<b>2</b>
<b>AB</b>	based on acrylonitrile-butadiene
<b>ABAK</b>	based on acrylonitrile-butadiene-acrylate, preferred term for ABA
<b>ABS</b>	based on acrylonitrile-butadiene-styrene
<b>ACS</b>	Acrylonitrile-chlorinated polyethylene-styrene, preferred term for ACPES

<b>AEPDS</b>	based on acrylonitrile-(ethylene-propylene-diene)-styrene, preferred term for AEPDMS
<b>AMMA</b>	based on acrylonitrile-methyl methacrylate
<b>ASA</b>	based on acrylonitrile-styrene-acrylate
<b>CA</b>	cellulose acetate
<b>CAB</b>	cellulose acetate butyrate
<b>CAP</b>	cellulose acetate propionate
<b>CEF</b>	cellulose formaldehyde
<b>CF</b>	cresol-formaldehyde resin
<b>CMC</b>	carboxymethyl cellulose
<b>CN</b>	cellulose nitrate
<b>COC</b>	cycloolefin copolymer
<b>CP</b>	cellulose propionate
<b>CTA</b>	cellulose triacetate
<b>EAA</b>	based on ethylene-acrylic acid
<b>EBAK</b>	based on ethylene-butyl acrylate, preferred term for EBA
<b>EC</b>	ethyl cellulose
<b>EEAK</b>	based on ethylene-ethyl acrylate
<b>EMA</b>	based on ethylene-methacrylic acid
<b>EP</b>	epoxide; epoxy resin or plastic
<b>E/P</b>	copolymer based on ethylene-propylene, preferred term for EPM
<b>ETFE</b>	based on ethylene-tetrafluoroethylene
<b>EVAC</b>	based on ethylene-vinyl acetate
<b>EVON</b>	based on ethylene-vinyl alcohol
<b>FEP</b>	based on perfluoro(ethylene-propylene), preferred term for PFEP
<b>FF</b>	furan-formaldehyde resin
<b>HBV</b>	Poly(3-hydroxybutyrate-co-3-hydroxyvalerate)
<b>LCP</b>	liquid-crystal polymer
<b>MABS</b>	based on methyl methacrylate-acrylonitrile-butadiene-styrene
<b>MBS</b>	based on methyl methacrylate-butadiene-styrene
<b>MC</b>	methyl cellulose
<b>MF</b>	melamine-formaldehyde resin
<b>MP</b>	melamine-phenol resin
<b>MSAN</b>	based on $\alpha$ -methylstyrene-acrylonitrile
<b>PA</b>	polyamide
<b>PAA</b>	poly(acrylic acid)
<b>PAEK</b>	polyaryletherketone
<b>PAE</b>	Polyarylether



<b>PAI</b>	polyamidimide
<b>PAK</b>	polyacrylate
<b>PAN</b>	polyacrylonitrile
<b>PAR</b>	polyarylate
<b>PAS</b>	Polyarylsulfone
<b>PARA</b>	poly(aryl amide)
<b>PB</b>	polybutene
<b>PBD</b>	1,2-polybutadiene
<b>PBN</b>	poly(butylene naphthalate)
<b>PBS</b>	polybutylene succinate
<b>PBSA</b>	polybutylene succinate co-adipate
<b>PBT</b>	poly(butylene terephthalate)
<b>PC</b>	polycarbonate
<b>PCCE</b>	poly(cyclohexylene dimethylene cyclohexanedicarboxylate)
<b>PCO</b>	polycycloolefin
<b>PCL</b>	polycaprolactone
<b>PCT</b>	poly(cyclohexylene dimethylene terephthalate)
<b>PCTFE</b>	polychlorotrifluoroethylene
<b>PDAP</b>	poly(diallyl phthalate)
<b>PDCPD</b>	polydicyclopentadiene
<b>PE</b>	polyethylene
<b>PE-C</b>	polyethylene, chlorinated, preferred term for CPE
<b>PE-HD</b>	polyethylene, high density, preferred term for HDPE
<b>PE-LD</b>	polyethylene, low density, preferred term for LDPE
<b>PE-LLD</b>	polyethylene, linear low density, preferred term for LLDPE
<b>PE-MD</b>	polyethylene, medium density, preferred term for MDPE
<b>PE-UHMW</b>	polyethylene, ultra high molecular weight, preferred term for UHMWPE
<b>PE-VLD</b>	polyethylene, very low density, preferred term for VLDPE
<b>PEC</b>	polyestercarbonate (one of the components - ester)
<b>PEEK</b>	polyetheretherketone
<b>PEEST</b>	polyetherester
<b>PEI</b>	polyetherimide
<b>PEK</b>	polyetherketone
<b>PEN</b>	poly(ethylene naphthalate)
<b>PEOX</b>	poly(ethylene oxide)
<b>PES</b>	poly(ethylene succinate)
<b>PESTUR</b>	polyesterurethane (one of the components - ester)
<b>PESU</b>	polyethersulfone

<b>PET</b>	poly(ethylene terephthalate)
<b>PEUR</b>	polyetherurethane (one of the components - simple ether)
<b>PF</b>	phenol-formaldehyde resin
<b>PHA</b>	polyhydroxyalkanoates
<b>PHB</b>	polyhydroxybutyrate
<b>PFA</b>	perfluoro alkoxyl alkane resin
<b>PI</b>	polyimide
<b>PIB</b>	polyisobutylene
<b>PIR</b>	polyisocyanurate
<b>PLA</b>	Polylactic acid
<b>PK</b>	polyketone
<b>PMI</b>	polymethacrylimide
<b>PMMA</b>	poly(methyl methacrylate)
<b>PMMI</b>	poly-N-methymethacrylimide
<b>PMP</b>	poly-4-methyl pent-1-ene
<b>PMS</b>	poly- -methylstyrene
<b>POM</b>	polyoxymethylene; polyacetal; polyformaldehyde
<b>PP</b>	polypropylene
<b>PP-E</b>	polypropylene, expandable, preferred term for EPP
<b>PP-HI</b>	polypropylene, high impact, preferred term for HIPP
<b>PPE</b>	poly(phenylene ether)
<b>PPOX</b>	poly(propylene oxide)
<b>PPS</b>	poly(phenylene sulfide)
<b>PPSU</b>	poly(phenylene sulfone)
<b>PS</b>	polystyrene
<b>PS-E</b>	polystyrene, expandable, preferred term for EPS
<b>PS-HI</b>	polystyrene, high impact, preferred term for HIPS
<b>PS-S</b>	polystyrene, sulfonated polysulfone
<b>PSU</b>	polysulfone
<b>PTFE</b>	polytetrafluoroethylene
<b>PTT</b>	poly(trimethylene terephthalate)
<b>PUR</b>	polyurethane
<b>PVAC</b>	poly(vinyl acetate)
<b>PVAL</b>	poly(vinyl alcohol), preferred term for PVOH
<b>PVB</b>	poly(vinyl butyral), butvar
<b>PVC</b>	poly(vinyl chloride)
<b>PVC-C</b>	poly(vinyl chloride), chlorinated, preferred term for CPVC
<b>PVC-U</b>	poly(vinyl chloride), unplasticized, preferred term for UPVC

<b>PVDC</b>	poly(vinylidene chloride)
<b>PVDF</b>	poly(vinylidene fluoride)
<b>PVF</b>	poly(vinyl fluoride)
<b>PVFM</b>	poly(vinyl formal)
<b>PVK</b>	poly-N-vinylcarbazole
<b>PVP</b>	poly-N-vinylpyrrolidone
<b>SAN</b>	based on styrene-acrylonitrile
<b>SB</b>	based on styrene-butadiene
<b>SI</b>	silicone
<b>SMAH</b>	based on styrene-maleic anhydride, preferred term for S/MA or SMA
<b>SMS</b>	based on styrene-alpha-methylstyrene
<b>UF</b>	resin based on urea-formaldehyde
<b>UP</b>	unsaturated resin based on polyester
<b>VCE</b>	based on vinyl chloride-ethylene
<b>VCMAK</b>	based on vinyl chloride-ethylene-methyl acrylate, preferred term for VCEMA
<b>VCEVAC</b>	based on vinyl chloride-ethylene-vinyl acetate
<b>VCMAK</b>	based on vinyl chloride-methyl acrylate, preferred term for VCMA
<b>VCMAA</b>	based on vinyl chloride-methyl methacrylate
<b>VCOAK</b>	based on vinyl chloride-octyl acrylate, preferred term for VCOA
<b>VCVAC</b>	based on vinyl chloride-vinyl acetate
<b>VCVDC</b>	based on Vinyl Chloride-Vinylidene Chloride
<b>VE</b>	resin based on vinyl ester

38. Footnote \*\* in Annex 3 shall read as follows “To be marked as follows: Latin letter C and through a slash – designation of the primary material by weight in the composite (e.g. C/ALU)”.

END UNOFFICIAL TRANSLATION.